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5 BILL NO. G-74-06-08

6 GENERAL ORDINANCE NO. G- 22-74

7 AN ORDINANCE amending General Ordinance No. G-97
8 by authorizing the vacation of a certain alley
9 in the City of Fort Wayne

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
11 WAYNE, INDIANA:

12 SECTION 1. Petition for the vacation of a certain alley having been
13 filed with the Fort Wayne City Plan Commission and resolution having been duly
14 adopted by the Fort Wayne City Plan Commission on May 20, 1974 following a pub-
15 lic hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of
16 the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385,
17 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat.,
18 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General
19 Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on
20 November 26, 1963, is amended by deleting the following public alley in Fort Wayne,
Allen County, Indiana, to-wit:

21 The East-West alley, approximately twelve (12) feet in width,
22 immediately to the North of Lot No. 16 in France Addition to
23 the City of Fort Wayne, Indiana, between North Clinton Street
24 on the West and the West edge of the first North-South alley on
25 the East

26 SECTION 2. After passage of this Ordinance, approval by the Mayor
27 and legal publication, a duly certified copy of this Ordinance, of the recommendation
28 of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be
29 transmitted by the City Clerk to the Board of Public Works of the City of Fort
30 Wayne, Indiana.

31 SECTION 3. This Ordinance shall be in full force and effect from and
32 after its passage, approval by the Mayor and legal publication thereof.

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John Throckmole
Councilman

APPROVED AS TO FORM
AND LEGALITY,
[Signature]
TODDNEY

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 6-11-74

Charles W. Teterman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed (Lost) by the following vote:

	AYES <u>8</u>	NAYS _____	ABSTAINED _____	ABSENT <u>1</u> to-wit:
BURNS	<input checked="" type="checkbox"/>	_____	_____	_____
HINGA	<input checked="" type="checkbox"/>	_____	_____	_____
KRAUS	<input checked="" type="checkbox"/>	_____	_____	_____
MOSES	<input checked="" type="checkbox"/>	_____	_____	_____
NUCKOLS	_____	_____	_____	<input checked="" type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	_____	_____	_____
SCHMIDT, V.	<input checked="" type="checkbox"/>	_____	_____	_____
STIER	<input checked="" type="checkbox"/>	_____	_____	_____
TALARICO	<input checked="" type="checkbox"/>	_____	_____	_____

DATE: 7-23-74

Charles W. Teterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 8-22-74 on the 23rd day of July, 1974.

ATTEST: (SEAL)
Charles W. Teterman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Teterman
CITY CLERK

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P. M., E.S.T.

Samuel J. Talarico
MAYOR

Bill No. G-74-06-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a
certain alley in the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

CONCURRED IN

DATE 7-23-74 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of city plan commission

May 22, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

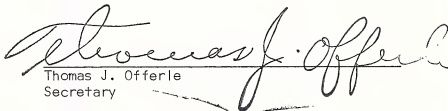
The East-West alley, approximately twelve (12) feet in width, immediately to the North of Lot No. 16 in France Addition to the City of Fort Wayne, Indiana, between North Clinton Street on the West and the West edge of the first North-South alley on the East.

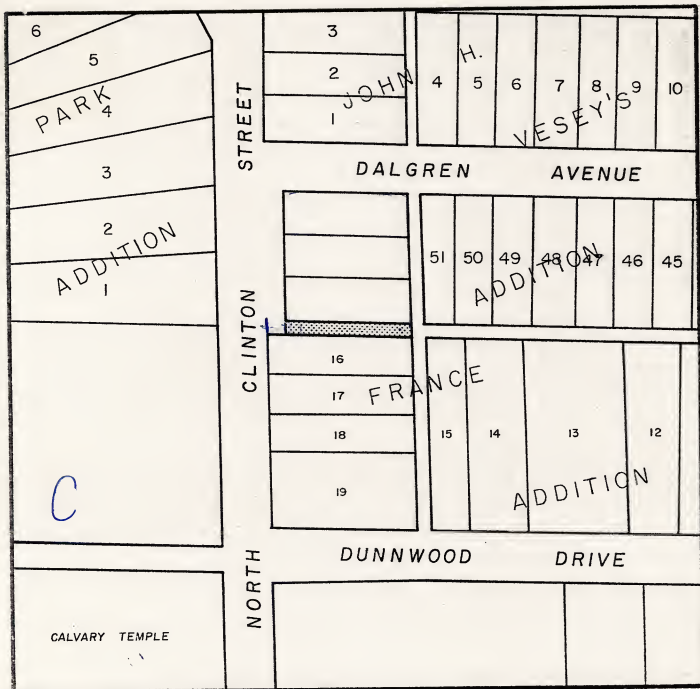
which was approved by the City Plan Commission at its regular meeting held May 20, 1974.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
22nd day of May, 1974.


Thomas J. Offerle
Secretary



ALLEY TO BE VACATED



BEFORE THE CITY PLAN COMMISSION
OF THE CITY OF FORT WAYNE, INDIANA
AND
THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA



ingress or egress or as a right-of-way to your Petitioner, or to any of the citizens of the City of Fort Wayne, Indiana; that it is Petitioner's belief that the vacation of said alley is not required for the growth of the City of Fort Wayne, Indiana, nor necessary for ingress and egress to any real estate within the City.

5. That your Petitioner believes that the vacation of said alley will enable your Petitioner to make advantageous and proper development of the property for the public and private interest of the City of Fort Wayne, Indiana.

6. That your Petitioner has filed with the Board of Public Works of the City of Fort Wayne a petition in regard to the vacation of this alley and has requested appropriate resolution and action by the Board of Public Works of the City of Fort Wayne, Indiana.

WHEREFORE, the undersigned, Village Investments, Inc., prays for the vacation of this alley according to the provisions of Indiana law pertaining thereto and for all other proper relief.

VILLAGE INVESTMENTS, INC.

By 

Its President

R E S O L U T I O N

WHEREAS, VILLAGE INVESTMENTS, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Allen County, Indiana, to-wit:

The East-West alley, approximately twelve (12) feet in width, immediately to the North of Lot No. 16 in France Addition to the City of Fort Wayne, Indiana, between North Clinton Street on the West and the West edge of the first North-South alley on the East;

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. S 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on May 20, 1974, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street or alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described be and the same is hereby approved;

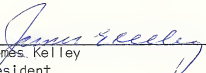
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, James Kelley, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission, held on the 20th day of May, 1974, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 20th DAY OF May, 1974.

FORT WAYNE CITY PLAN COMMISSION



James Kelley
President

Form M-174-A

Application No. CD 23-4-6

Permit No. 61956

Approved by the
Indiana State Highway Commission

Receipt No. 47357

Date of Issue June 26, 1974

12/71

District Fort Wayne

Road 27 Section U-231-02

PERMIT TO CONSTRUCT A DRIVEWAY ENTRANCE
AND APPROACH AND/OR CROSS-OVER

The Indiana State Highway Commission hereby grants a permit for construction, which shall become final when construction has been completed in accordance with the plans and specifications submitted with the application for this permit, as amended by the Commission at the time of issuance, together with any special conditions noted herein, which the permittee accepts by signing the application and beginning construction hereunder, and after inspection of such construction and approved by the Commission.

Purpose: This Tentative Permit is granted to the applicant(s) for the following use only:

Village Inn Pancake House

The real estate for which this permit is granted is described as follows, to wit:

Copy Enclosed

The adjacent parcels for which a way of access is granted, through the principal parcel, by this permit are described as follows, to wit: None

The purposes for which a way of access is granted to each adjacent parcel through the access of the principal parcel are: None

Conditions of Granting of Permit to Construct

The permittee shall remove or relocate any such entrances or approaches when requested to do so by the Commission in the interest of safety to highway traffic. For the purpose of Road or Bridge construction or improvement, said driveway entrances and approaches shall be removed at any time upon the request of the Indiana State Highway Commission. Permits issued for driveway entrances and approaches may be rescinded at any time by the Indiana State Highway Commission.

1. (Rule 25) All improvements authorized by a permit must be completed within one (1) year after the permit is issued; otherwise, the permit will be cancelled unless an extension is requested, in writing, by the applicant, and said request is approved by the Indiana State Highway Commission. However, all construction authorized by the permit on the right-of-way must be completed within thirty (30) days after starting said construction, unless otherwise expressly approved as a special condition.

2. (Rule 23) Before beginning work under any permit to construct, the permittee shall notify, in writing, five (5) days prior to start of work, the local Indiana State Highway Commission Sub-District Superintendent of the date he will begin such work.

3. (Rule 24) The applicant's permit complete with drawings and special provisions shall be on the job site at all times so that it can be shown, if requested.

4. (Rule 26) The permittee shall assume all responsibility (during the time from the beginning of the work covered by any permit until final approval of the work) and shall furthermore be obligated to save harmless the State for any and all injury, loss or damages occasioned to or by persons or property resulting directly or indirectly from such work; the Commission shall, in its discretion, require the permittee to provide liability and indemnity insurance for the use and benefit of the State of Indiana.

5. (Rule 27) The construction of all improvements authorized by the permit shall not interfere with any existing structure on any State Highway right-of-way without specific permission in writing from the Commission or other owner thereof. Any structure or traffic control device affected by the proposed construction shall be relocated at the applicant's expense as directed.

6. (Rule 28) The permittee shall not erect or maintain any advertising sign on or over the right-of-way or any portion thereof in violation of any law.

7. (Rule 9) All construction and materials used within the highway right-of-way must conform to the Indiana State Highway "Standard Specifications" which shall be kept on file at all offices of the Indiana State Highway Commission.

8. (Rule 12) Approval of a permit application shall be subject to the permittee obtaining all necessary approvals involving land use from the zoning board and/or Plan Commission having jurisdiction and local authorities and complying with all applicable laws. The issuance of any permit shall in no way imply Commission approval of, or be intended to influence any action pending before any local board or commission.

9. All construction adjacent to the traveled way shall be protected by signs, barricades, and/or lights to protect the safety of the public.

All plans submitted for this permit are approved as shown, except as amended in red and dated, on the application and drawings attached thereto or as noted hereunder and subject to the following special conditions:

10. Amendments to Plans: (if any) As marked in red on plans.

11. Special Conditions: (if any) None

This permit is issued this date: June 26, 1974

By: District Engineer ----- Chief, Div. of Maint. P. F. McDonald

Issuing Clerk -----

NOTE: Class I, Class II and Class V District granted. Class III and Class IV granted by Chief, Division of Maintenance.

All Permits to Construct in Limited Access areas must be approved by the Indiana State Highway Commission:
Approved by the Indiana State Highway Commission on N/A

Limitation of Access Document Required N/A Filed N/A

Any special conditions, requirements or additions to original application as set out at Items numbered ten (10) and eleven (11) above are hereby approved and accepted by the undersigned:

N/A

Jack

Form M-174-B

Approved by the
Indiana State Highway Commission

REV. 2/72

THIS IS ONLY
A REQUEST
FOR A PERMIT

Application No. 23-4-006

Permit No. 61956

Receipt No. 42352

APPLICATION FOR A PERMIT TO CONSTRUCT A
DRIVEWAY ENTRANCE AND APPROACH AND/OR CROSS-OVER

Application is hereby made for a permit to construct a driveway entrance and approach and/or cross-over as follows:

1. Location: On State Road No. 24, Sec. 1-231-02, on the NE (north, south, east, west) side(s) of the road, at the following described location(s):

2. Limited Access: Yes () No ()

3. Legal Description of Parcel (for which permit is intended to be used): to wit:

4. If this permit is granted, is the access now requested to be used in conjunction with any other parcel not included in the above legal description as to provide access, or additional access to the same? Yes () No () If yes, see Question 6, below.

5. Are any other parcels adjacent to the parcel(s) for which access is now requested, owned, leased, or otherwise controlled, by any of the persons making this application; or intended to be purchased or sold by the same if this permit is granted or after such purchase or sale to be used in conjunction with the access now requested? Yes () No () If yes, see Question 6, below.

6. As applicant(s), do you make full disclosure with respect to affirmative answers to Questions 4 and 5 above as part of this application? Yes () No () (Such disclosure shall be made by appending a plat diagram hereto showing the relative location of such parcels to the parcel for which access is now requested and shall include a legal description of each such parcel, a list of all persons holding any encumbrance or other interest in or upon each individual parcel, a statement of the present use and/or intended use of each parcel, if intended to be used in conjunction with the parcel(s) for which access is now sought, and all points of present access to adjoining roads from each parcel.

7. What is the present use of the parcel(s) for which is now requested? INDUST.

8. What is the proposed use for which this application is made?

(Permit is for designated purpose only, if use of land changes, new permit must be requested).

9. What are the names and post office address of all persons having an interest or encumbrance upon the parcel for which access requested? State nature of interest. (All must sign application).

NAME	ADDRESS	INTEREST
<u>29th & "O" Street, Inc., 111 S. 29th St., Lincoln, Nebraska</u>		<u>owner</u>
<u>Gordon H. Miles, 11440 West Center Rd., Omaha, Nebraska</u>		<u>owner</u>
<u>Don W. Elliott, 8801 West Center Rd., Omaha, Nebraska</u>		<u>owner</u>
<u>Village Investments, Inc., 111 S. 29th St., Lincoln, Nebraska</u>		<u>Lessee</u>

10. Bond: Is bond required with this application? Yes (☒) No (☐) (Consult with the District Office. Minimum \$2500.00 Bond required for all commercial or cross-over applications.) Amount of Bond \$2,500.00
(Bond must be filed with application.)

PHYSICAL CHARACTERISTICS OF CONSTRUCTION

11. Class of Permit requested and Cross-over Class (if any) (See access Permit Rules). Class III
and/or Cross-over _____

12. Present number of access points 1 (ALLEY) Numbered required 1

13. Describe briefly what construction is necessary and why this is required:

REMOVE PRESENT CONCRETE ENTRANCE AND INSTALL NEW CONCRETE ENTRANCE AND CURBS

ACCORDING TO STATE SPECIFICATIONS

14. Is there any hazard such as a curb, hill, railroad crossing at grade within 500' of proposed approach?
(Describe and indicate on drawings) NO

15. Is there any structure, traffic signals or devices located within the construction area that need to be relocated: Describe. NO

16. State size and type of drainage structure(s) required: NO

17. (a) Is driveway closer than 5' to adjacent property? Yes (☒) No (☒)

(b) Does radii extend in front of the adjacent property line? Yes (☐) No (☒)

If yes to (a) or (b) both property owners must give approval in writing.

18. Slope: (a) Is approach or driveway to be constructed on a grade greater than 10 percent? Yes (☐) No (☒)

(b) If Yes, what is the slope of the grade _____ percent.

(c) Describe what steps will be taken to prevent interference with drainage of the street _____

INSTALL INTERIOR CATCH BASIN

(Unless shown on application, the approach shall not be constructed on a grade greater than 10 percent.)

19. Is there an existing driveway approach within 500'? Yes (☒) No (☐) (If yes, continuous lane may be required).

20. Gas Stations Only:

Are gasoline pumps or any part thereof, located the required ten (10) feet from the right-of-way? Yes (☐)

No (☐)

State Fire Marshall must approve gasoline station location and application plans prior to construction.

21. Is the purpose of this application for a commercial use? Yes (☒) No (☐)

(If yes, attach certificate of compliance with standards made by a professional engineer and/or land surveyor, see Rule 11.)

NAME OF APPLICANT AND SIGNATURES

22. In what name(s) shall the permit requested above be granted, if approved? VillageInvestments, Inc. AND _____

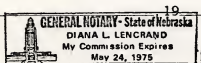
For the purpose of making the above application, all persons listed above as holders of an interest of encumbrance in any of the real estate described herein, including option-holders of rights to buy or sell and the person(s) named above as proposed permittee(s) now join in this application and affirm the information contained herein, consent to be bound hereafter by any permit issued in the name of the above designated permittee(s) as such permit may be issued together with conditions, special conditions, or amendments which are a part of said permit and each of them agrees jointly and individually that the covenants and agreements made by the acceptance of said permit shall inure to and be binding on permittee(s) and their successor(s) and assigns and that the same shall be a covenant running with the above described real estate

In witness whereof, the undersigned have hereto put our hand andseal this 8 day of May, 19 74.

29th & "O" Street, Inc., Village Investments, Inc., Gordon H. Miles and
 (Name of Applicant) Don W. Elliott

Gordon H. Miles Robert J. Donaldson
 (Signature of Applicant) Don W. Elliott

Personally appeared before me Gordon H. Miles, Don W. Elliott and Robert J. Donaldson
President of 29th & "O" Street, Inc. and Village Investments, Inc.
 as applicant(s) this 8 day of May, 19 74.

Witness my hand and Notary seal the said last named date. My Commission expires

Diana L. Lencrand
 (Notary Public)

(Name of Applicant/Interest Holder)

(Signature of Applicant/Interest Holder)

Personally appeared before me _____

as applicant/interest holder this _____ day of _____, 19 _____

Witness my hand and _____ seal the said last named date. My Commission expires

_____, 19 _____.

Recommended for Approval:

A. J. Pierce
(District Permit Engineer/Supervisor)

(Notary Public)

F. R. Bush
(District Engineer)

Attach additional signature sheets (Form M-174-D) if necessary.

Admn. Appr. ✓

Number assigned by Dave Keller's Office: # 3421

TITLE OF ORDINANCE Alley vacation ordinance

5-74-06-08

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of an alley vacation ordinance petition

initiated by abutting property owners to vacate a portion of the following

described alley:

The East-West alley, approximately twelve (12) feet in width, immediately

to the North of Lot # 16 in France Addition to the City of Fort Wayne, Indiana

between North Clinton Street on the west and the West edge of the first

north-south alley on the East.

EFFECT OF PASSAGE Alley is presently unimproved and not used as service
alley. If vacated, alley would be utilized by abutting property owners.

EFFECT OF NON-PASSAGE Alley would remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)

Regulations



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

July 25, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of July 27 and August 3, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of
Fort Wayne, Indiana:

General Ordinance No. G-22-74
Bill No. G-74-06-08

General Ordinance No. G-23-74
Bill No. G-74-07-13

General Ordinance No. Z-15-74
Bill No. Z-74-07-55

Please send us five (5) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman".

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 3

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50
30.01

TOTAL AMOUNT OF CLAIM

NG COST

ngle column 11 ems

insertions. 2

Size of type. 5 $\frac{1}{2}$ point

Size of quad upon which type is cast. 5 $\frac{1}{2}$

on and penalties of Ch. 89, Acts 1967.

eforegoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald

CLERK

Title

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows: 7.20 & 8/5/74

COPIY OF
ENT HERE

Subscribed and sworn to before me this 6th day of August 19 74

Notary Public

My commission expires October 25, 1975

Notice is hereby given that on the 23rd day of July, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-7446-08, G-2-74 General Ordinance, to-wit:

BILL NO. G-7446-08
GENERAL ORDINANCE NO. G-2-74
AN ORDINANCE amending General Ordinance No. G-57 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana, to-wit:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on May 28, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 35-744), the Thoroughfare Plan as set forth in General Ordinance No. G-47 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The East-West alley, approximately twelve (12) feet in width, immediately to the North of Lot No. 16 in France Addition to the City of Fort Wayne, Indiana, between North Clinton Street on the West and the West edge of the first North-South alley on the East.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and legal publication thereof.

JOHN NUCKOLS
Counselman

Read the third time in full and on motion, by V. Schmidt, seconded by Hingda and duly certified, placed on its passage, PASSED by the following vote:

Ayes: Elwell, Burns, Hingda, Kroust, Moses, D. Schmidt, V. Schmidt, Stier, Talorico.

Ways: None.
Absent: Mr. Muckols.

CHARLES W. WESTERMAN
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-74 on the 23rd day of July, 1974.

ATTEST: SEAL

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-22-74 passed by the Common Council on the 23rd day of July, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of July, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of July, 1974.

CHARLES W. WESTERMAN
CITY CLERK

Common Council of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr

Allen _____ County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

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Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

99 lines, 1 columns wide equals 99 equivalent lines at .288¢
cents per line

• 28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

30.01

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions 2Size of quad upon which type is cast... 5¹/₂.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 6 19 74

Title.....CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the _____

JOURNAL-GAZETTE
A DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 time s, the dates of publication being
as follows: 7.29 & 8/5/74

Subscribed and sworn to before me this 6th day of August 19 74

My commission expires October 25, 1975

99 lines, 1 column wide equals 99 equivalent lines at 28.84 cents per line

28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

30.01

Notice is hereby given that on the 23rd day of July, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session and pass the following Bill No. G-74-06-08, G-22-74 General Ordinance, to-wit:

BILL NO. G-74-06-08

GENERAL ORDINANCE NO. G-22-74
AN ORDINANCE amending General Ordinance No. G-67 by authorizing the vacation of a certain alley in the City of Fort Wayne,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 20, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1967, of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replenishment, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-67 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The East-West alley, approximately twelve (12) feet in width, immediately to the North of Lot No. 16 in France Addition to the City of Fort Wayne, Indiana, between North Clinton Street on the West and the West edge of the first North-South alley on the East.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NICKOLS
Counsellman.

Read the third time in full and on motion by V. E. Schmitt, seconded by Hingao, and duly adopted, passed on its passage, PASSED BY THE FOLLOWING VOTE:
Yeas: Eight, Burns, Hingao, Kraus, Moses, D. Schmidt, V. Schmitt, Siler, Talorico.

Nays: None.

Absent: One, Muckles.

Date: 7-23-74

CHARLES W. WESTERMAN
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-74 on the 23rd day of July, 1974.

SEAL
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M. E.S.T.

CHARLES W. WESTERMAN
City Clerk
Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M. E.S.T.

IVAN A. LEBAMOFF
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full and complete copy of General Ordinance No. G-22-74 passed by the Common Council on the 23rd day of July, 1974, and that a true and correct copy was duly signed and approved by the Mayor on the 24th day of July, 1974, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of July, 1974.

CHARLES W. WESTERMAN
CITY CLERK

Extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

G COST

Single column 11 ems

Size of type 5 1/2 point

Insertions 2

Size of quad upon which type is cast 5 1/2

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

V. E. Gerken

19 74

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, says that she is Clerk

NEWS-SENTINEL

DAILY

newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

7/29 & 8/5/74

Subscribed and sworn to before me this 6th day of August, 19 74

Notary Public

My commission expires October 25, 1975

To **NEWS-SENTINEL** Dr.

FORT WAYNE, INDIANA

LINE COUNT

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Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

99 lines, 1 column wide equals 99 equivalent lines at 28.8¢ per line 28.51

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type..... $5\frac{1}{2}$point

Number of insertions. 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date August 6 19 74

Title..... Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County 88:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken who being duly sworn, deposes and says that the foregoing is a true and correct copy of the original of the within and last foregoing instrument of writing, and that he is the duly authorized agent of the said party or parties to the same.

that..... She is Clerk of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published
in the English language in the city } of **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two _____

time....., the dates of publication being as follows:

7/29 & 8/5/74

Subscribed and sworn to before me this 6th day of August, 19 76

Notary Public

My commission expires October 25, 1975

[illegible]